

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

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NORMAN HANSEN,	:	CIVIL ACTION
	:	
Plaintiff,	:	
	:	
v.	:	No. 16-5028
	:	
INTERNATIONAL PAINTERS AND	:	
ALLIED TRADES INDUSTRY PENSION	:	
PLAN and BOARD OF TRUSTEES OF	:	
THE INTERNATIONAL PAINTERS AND	:	
ALLIED TRADES INDUSTRY PENSION	:	
PLAN,	:	
	:	
Defendants.	:	
	:	

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**ORDER**

**AND NOW**, this 11th day of October, 2017, upon consideration of the Cross-Motions for Summary Judgment filed by Plaintiff Norman Hansen (“Plaintiff”) and Defendants International Painters and Allied Trades Industry Pension Plan (“Pension Plan”) and Board of Trustees of the International Painters and Allied Trades Industry Pension Plan (“Board of Trustees”) (collectively, “Defendants”), and all of the responses, replies, and sur-replies, it is hereby **ORDERED** that Plaintiff’s Motion for Summary Judgment (Doc. No. 11) is **DENIED** and Defendants’ Motion for Summary Judgment (Doc. No. 10) is **GRANTED IN PART** and **DENIED IN PART**. It is further **ORDERED** that:

1. as it pertains to Count I of Plaintiff’s Complaint, this matter is **REMANDED** to the Board of Trustees for a determination of whether Plaintiff’s employer was obligated to make contributions to the Pension Plan pursuant to a collective bargaining agreement between Plaintiff’s employer and the International Union of Painters and Allied Trades. Accordingly, Plaintiff’s and Defendants’ Motions are **DENIED** as to Count I; and

2. Defendants' Motion as to Counts II, III, and IV is **GRANTED**, and Plaintiff's Motion is **DENIED** as to Counts II, III, and IV. Counts II, III, and IV are **DISMISSED WITH PREJUDICE**.

BY THE COURT:

/s/ Robert F. Kelly  
ROBERT F. KELLY  
SENIOR JUDGE